

WESTERN ARCTIC NATIONAL PARKLANDS
Bering Land Bridge National Preserve
Cape Krusenstern National Monument
Kobuk Valley National Park
Noatak National Preserve

COMPENDIUM
2004

National Park Service (NPS) regulations applicable to the protection and equitable public use of units of the National Park System grant specified authorities to a park superintendent to allow or restrict certain activities. NPS regulations are found in Titles 36 and 43 of the Code of Federal Regulations (CFR) and created under authority and responsibility granted the Secretary of Interior in Titles 16 and 18 of the United States Code. The following compendium comprises a listing of all NPS regulations that provide the Superintendent with discretionary authority to make designations or impose public use restrictions or conditions in park areas. The applicability and scope of the compendium is articulated in 36 CFR Sections 1.2 and 13.2, and 43 CFR Section 36.1.

The larger body of NPS regulations that do not provide discretionary authority to the Superintendent is not cited in this compendium. A complete and accurate picture of regulations governing use and protection of these units can only be gained by viewing this compendium in context with the full body of applicable regulations found in Titles 36 and 43 CFR. *Please contact Western Arctic National Parklands, P.O. Box 1029, Kotzebue, Alaska 99752 or call (907) 442-3890 for questions relating to information provided in this compendium.*

TITLE 36 CODE OF FEDERAL REGULATIONS

PART 1. GENERAL PROVISIONS

1.5 Closures and public use limits

(a)(1) Visiting hours, public use limits, closures

See specific sections in this document for additional information regarding closures, visiting hours, and public use limits.

(a)(2) Designated areas for specific use or activity or conditions

See specific sections in this document for additional information regarding designated areas and conditions for engaging in certain activities.

1.6(f) Compilation of activities requiring a permit

- Scientific research, (1.5)
- Collecting research specimens, (2.5)
- Operating a power saw in developed areas, (2.12(a)(2))
- Operating a portable motor or engine in undeveloped areas, (2.12(a)(3))

- Operating a public address system, (2.12)(a)(4))
- Air delivery, (2.17(a)(3))
- Noncommercial soliciting, (2.37)
- Using, possessing, storing, or transporting explosives, blasting agents, or explosive materials, (2.38(a))
- Special events, (2.50(a))
- Public assemblies and meetings, (2.51(a))
- Sale and distribution of printed matter, (2.52(a))
- Grazing, (2.60(a)(1),(2)); reindeer grazing, (2.60(a)(1), re: 16 USC 410hh, 25 USC 500)
- Residing on federal lands, (2.61(a))
- Installing a monument or other commemorative installation, (2.62(a))
- Commercial notices or advertisements, (5.1)
- Commercial operations, (5.3)
- Commercial photography or filming, (5.5)
- Construction or repair of any building, structure, facility, road, trail, or airstrip on federal lands, (5.7)
- Mining operations (9.9(a)) or an approved Plan of Operations (in lieu of permit))
- Abandoned property, leaving property unattended for over 4 months, (13.22(b))
- Cabins on federal lands-
 - ◊ General use and occupancy, (13.17(e)(1), (2))
 - ◊ Commercial fishing, (13.17(e)(3))
 - ◊ Subsistence-exclusive use, (13.17(e)(4)(i))
 - ◊ Temporary (over 14 days) facilities in Preserve for taking of fish and wildlife, (13.17(e)(7))
 - ◊ Cabins otherwise authorized by law, (13.17(e)(8))
- Subsistence use in national parks or monuments by a person who does not live within the boundary of the national park or monument or a resident zone community, (13.44(a))
- Using aircraft access for subsistence activities in the Park, (13.45(a), 13.45(b)(1), 13.73(a)(1))
- Cutting of live standing timber greater than 3 inches in diameter for non-commercial subsistence uses, (13.49(a)(1))
- Access to inholdings where access is not made by aircraft, snowmachine, motorboat or non-motorized surface transportation, (43 CFR 36.10(b))
- Temporary access across federal land for survey, geophysical or exploratory work, (43 CFR 36.12(c))
- Salvaging, removing, possessing aircraft, (43 CFR 36.11 (f)(3)(ii))
- Helicopter landings, (43 CFR 36.11(f)(4))
- Off-road vehicle (ORV) use, (43 CFR 36.11(g)(2))

PART 2. RESOURCE PROTECTION, PUBLIC USE AND RECREATION

2.1(a)(4) Designated areas for collection of dead and downed timber for firewood

Superseded by 13.20(b)(4) and 13.49(b).

*13.20(b)(4) allows the collection of dead or downed timber by hand for personal use for firewood.

*13.49(b) allows federally qualified subsistence users to collect dead or downed timber for firewood.

2.1(a)(5) Designated areas and conditions for walking, climbing on archeological cultural resource sites

There are no designated areas or conditions.

Walking or climbing on cultural resources is prohibited. This protects cultural and archeological resources.

2.1(b) Designating trails

No restrictions on walking or hiking at present.

2.1(c)(1-3) Designated fruits and berries, to harvest by hand

Superseded by 13.20(b)(1) and 13.49(b).

*13.20(b)(1) allows the collection of fruits, berries, mushrooms, and other natural plant food items by hand for personal use.

*13.49(b) allows federally qualified subsistence users to collect fruits, berries, mushrooms, and other natural plant food items.

2.2(d) Established conditions and procedures for transporting lawfully taken wildlife through park areas

Hunters are required to identify themselves and the location where the wildlife that is being transported across park/preserve land was taken when requested by a park ranger. Identification of the site may consist of specific directions, maps, or upon request the hunter may be required to accompany the ranger to the location to verify the kill site.

This requirement is intended to allow transport of legally taken game across Park/Monument lands.

2.2(e) Designated areas for wildlife viewing with artificial light

No areas designated for closure. For sport hunting in the Preserve, state law prohibits the use of artificial light. Federal subsistence hunting regulations provide for the use of artificial light in some circumstances (50 CFR Section 100).

2.3(d)(2) Fresh waters designated as open to bait fishing with live or dead minnows or other bait fish, amphibians, nonpreserved fish eggs or fish roe

No waters are designated as open to fishing with the types of bait identified above. Other types of bait may be used in accordance with state law. Subsistence fishing is allowed in accordance with 36 CFR part 13 and 50 CFR part 100.

2.3(d)(8) Designated areas open for fishing from motor road bridges and public boat docks

All areas are designated as open for fishing from motor road bridges and boat docks.

2.4 (a)(2)(i) Carrying of weapons at designated locations and times

Superseded by 13.19(b).

2.10 (a) Camping - designated sites, areas, conditions and permits

Superseded in part by 13.18(a).

2.10(d) Food storage - designated areas and methods

Throughout the park, all food (except legally taken game), food containers, garbage, harvested fish and equipment used to cook or store food must be stored in one of the following ways when not in use:

- secured within a hard sided building, or
- secured within lockable and hard sided section of a vehicle, vessel, or aircraft, or
- in a bear resistant food container, or
- cached a minimum of 100 feet from camp and suspended at least 10 feet above the ground when possible and 4 feet horizontally from a post, tree trunk, wire cable, or other object.

Note: This does not apply to clean dishes and cooking equipment that are free of food odors. We strongly recommend that these items be securely stored; but clean and odor free items are not required to be stored in secure containers.

Storage of food below ground is prohibited.

A bear resistant section or container is securable and constructed in such a manner and of material capable of preventing access by a brown or black bear. Acceptable Bear Resistant Food Containers include:

- PVC plastic or aluminum backpacker canisters (such as those manufactured by Garcia Machine, Wild Ideas, or Purple Mountain Engineering)
- steel drums with locking rings
- modified military ammo cans or bear resistant metal panniers
- metal raft dry boxes

Unacceptable Bear Resistant Food Containers include:

- ice chests
- coolers
- tents
- dry bags or stuff sacks
- plastic packing boxes (Totes, Action Packers, etc.)
- hard or soft shelled kayaks with standard hatch covers

The intent of these requirements is to prevent bears and other wildlife from obtaining and habituating to food and garbage, thus protecting wildlife and park visitors alike.

2.11 Picnicking - designated areas

Superseded by 13.18(b).

2.13(a)(1) Fires - Designated areas and conditions

Campfires are authorized in all areas of the park without a permit. All trash (tin foil, burnt food, glass and cans) must be removed from the fire site after use.

This requirement is intended to ensure that all trash is removed from campsites.

2.14(a)(2) Sanitation and refuse - using government receptacles

No conditions established at present. Dumping commercial, household, or industrial refuse, brought in from private or municipal property, in government receptacles is prohibited.

2.14(a)(5) Sanitation - designated areas for bathing and washing

Bathing is permitted in the Serpentine Hot Springs Bathhouse.

Unless otherwise allowed by the Superintendent, bathing and washing of cooking utensils, food and other property at all public water outlets, fixtures, or pools is prohibited.

2.14(a)(7) Sanitation- designated areas for disposal of fish remains

There are no designated areas.

Fish remains may not be disposed of on either land or water within 200 feet of public boat docks, designated swim beaches, or within developed areas for reasons of public health and safety.

2.14(a)(8) Sanitation - human waste in developed areas

Human waste must be disposed of in public restrooms and outhouses where available.

2.14(a)(9) Sanitation - designated areas for disposal of human waste in undeveloped areas

If an outhouse is not available, human waste will either be removed as trash or disposed of on the ground surface at least 100 feet from a water source. Burying human waste is prohibited.

This requirement is intended to ensure that proper disposal of human waste occurs in order to protect vegetation, archeological sites and water quality.

2.14(b) Sanitation- conditions concerning disposal, carrying out of human waste

Toilet paper will either be burned or carried out as trash.

2.15(a)(3), (a)(5), (b), (e) Pets

This regulation section contains restrictions, such as pets must be leashed or physically restrained, and therefore there are no additional conditions.

2.16 (a)-(c) Horses and pack animals

Superseded by 43 CFR 36.11(e).

Access for subsistence purposes under 36 CFR 13.46(a) supersedes this section.

2.17(a)(1) Aircraft operation

Superseded by 43 CFR 36.11(f)(1).

Access for subsistence purposes under 36 CFR 13.45 supersedes this section.

2.17(a)(2) Aircraft operation near docks, piers, swimming beaches and other designated areas

No areas prohibited at present.

2.17(c)(1) Removal of downed aircraft

Superseded by 43 CFR 36.11(f)(3)(ii).

2.18(c) Snowmobiles-designated areas for use

No areas are designated for snow machine use.

Superseded in part by 43 CFR 36.11(c) Special access

Superseded by 36 CFR 13.46(a) for subsistence uses.

2.19(a) Winter activities-designated areas

This section does not apply.

2.20 Skating and skateboards

Superseded by 43 CFR 36.11(e).

2.21 Smoking

All park offices and visitor facilities are closed to smoking. Smoking is prohibited within 100 feet of the park fuel and aviation gas storage facility.

These restrictions are intended to protect public safety from fire or explosion around fuel storage and dispensing facilities.

2.22 Property - leaving property unattended for 24 hours

Superseded by 13.22.

2.35(a)(3)(i) Alcoholic beverages - areas closed to consumption

No restrictions at present.

2.38(b) Explosives - areas designated for using fireworks

No areas designated for use of fireworks. Fireworks are prohibited.

2.51(e) Public assemblies/meetings - designated areas

All areas are open to public assemblies with a permit from the superintendent.

The permit requirement is intended to ensure assemblies can occur, but with minimal impact on park visitors and activities.

2.52(e) Sale and distribution of printed matter-areas designated for such use

All areas are open to distribution with a permit from the superintendent.

The permit requirement allows sale or distribution of printed matter with minimal impact on park visitors and activities.

2.60(a)(3) Designated areas for grazing

Grazing of pack or saddle animals by private parties, not to exceed 14 days, is authorized without a permit within the Monument, Park, and Preserve. Reindeer grazing is authorized in Bering Land Bridge National Preserve under 36 CFR 2.60(a)(1), 16 USC 410hh, and 25 USC 500 pursuant to a permit from the Superintendent.

These restrictions seek to lessen the impact of extended camps on vegetation.

2.62(b) Memorialization-designation of areas for scattering ashes

All areas of the park are open to scattering of ashes without a permit.

PART 3. BOATING AND WATER USE ACTIVITIES

3.3 Permits

No permits required at present.

3.6(i) Boating, prohibited operations - designated launching areas

All areas are open to launching of boats.

3.6(l) Operating a vessel in excess of designated size

No maximum size designations at present.

3.20(a) Water skiing-designated waters

All waters are designated as open.

3.21(a)(1) Swimming and bathing-areas designated as closed

All park waters are open to swimming.

3.23(a) SCUBA and snorkeling - designated conditions in swimming areas, docks, etc.

No conditions established at present.

PART 4. VEHICLES AND TRAFFIC SAFETY

4.10 Travel on park roads and designated routes-areas designated for off-road use in Preserves

No routes or areas designated for the use of ORVs at present. See also 43 CFR 36.10, 36.11(c), (g)).

Access for subsistence purposes under 36 CFR 13.46(a) supersedes this section. ORV access for reindeer grazing in Bering Land Bridge National Preserve under 13.61(a) supersedes this section.

4.11(a) Load weight and size limits - permit requirements and restrictive conditions

No restrictions at present.

4.21(b), (c) Speed limits-designation of a different speed limit

No designations necessary at present.

4.30(a) Bicycles-closed areas

Superseded by 43 CFR 36.11(e).

4.30(d)(1) Wilderness closed to bicycle use

Superseded by 43 CFR 36.11(e).

4.31 Hitchhiking-designated areas

All areas of the park are open to hitchhiking.

PART 5. COMMERCIAL AND PRIVATE OPERATIONS

5.7 Construction of buildings, roads, trails, airstrips, or other facilities

Maintenance of established landing strips utilizing non-motorized hand tools is not considered construction or repair and no permit is required. Any other construction requires a permit.

PART 13. ALASKA REGULATIONS

SUBPART A – PUBLIC USE AND RECREATION

13.17(d)(8)(ii), (iv) Established conditions for removal of cabin for which a cabin permit has been denied, expired, or revoked

No conditions established at present (may require access permit).

13.17(e)(4)(i) Designated existing cabins, shelters or temporary facilities that may be shared for subsistence uses without a permit

No designations at present. Subsistence uses of these facilities require a permit from the superintendent.

13.17(e)(4)(vi) Established conditions and standards governing the use and construction of temporary structures and facilities, published annually

No conditions or standards established.

13.17(e)(5)(i) Designated cabins or other structures for general public use

No cabins or other structures designated for public use at present.

13.17(e)(5)(ii) Established conditions and allocation system to manage the use of designated public use cabins

No restrictions at present.

13.17(e)(7)(iv)(B) Established conditions for removal of temporary facility (more than 14 days)

Individuals must remove facility, all personal property, and return the site to its natural condition.

These conditions are intended to protect the park from impacts to vegetation and soil and to ensure that personal items are not left in the park.

13.18(a) Restricted areas for camping

Areas temporarily restricted or closed to camping will be listed under 13.30(d)(2).

13.18(b) Picnicking-areas where prohibited by posted signs

No restrictions at present.

13.19(b) Carrying firearms

Temporary restrictions will be listed under 13.30(d)(2).

13.20(d) Preservation of natural features

There are no additional restrictions.

13.22(c) Designate areas where personal property may not be left unattended for any time period, limits on amounts and types, manner in which property is stored

- All caches must be labeled with the name of the owner, home address, telephone number, and date that the cache was established. If the cache contains fuel, the type of fuel must be noted. Unlabeled caches may be removed or impounded.
- Caches left for more than 4 months will be considered abandoned and may be removed or impounded by Park Rangers.
- All caches must be secured in such a manner that wildlife is unable to access the cache contents.
- Leaving fuel in more than one location in a park unit or leaving more than 30 gallons of fuel is prohibited unless authorized by the Superintendent.
- Storing fuel within 100 feet of a water source, high water mark of a body of water, or mean high tide is prohibited unless authorized by the

Superintendent. Fuel must be contained in an undamaged and closed fuel container designated for fuel storage. Fueling from containers must occur in such a manner that any spillage would be prevented from coming into contact with water, soil, or vegetation.

- A Special Use Permit may be obtained from the Superintendent for unique or special circumstances different from above. All such requests must be made in writing to the Superintendent at P.O. Box 1029 Kotzebue, AK 99752.

Unlabeled or undated caches are an indication that the owner has no intention of returning or retrieving the property. Experience indicates that caches older than 4 months are usually abandoned. Unlabeled fuel is of questionable use since fuel deteriorates with age. Fuel caches require special containers and handling because fuel spills can contaminate soil and water. Fluctuating river levels and unstable stream banks make streamside, gravel bar, and flood plain cache locations unsuitable.

13.30(d)(1) Temporary closures and restrictions relating to the use of aircraft, motorboats, and non-motorized surface transportation or to the taking of fish and wildlife

No closures or restrictions at present.

13.30(d)(2) Temporary closures and restrictions (other)

No closures or restrictions at present.

SUBPART B – SUBSISTENCE

13.49(a)(1) May permit cutting in accordance with specifications of permit for subsistence timber harvest (house logs & firewood)

Subsistence green wood harvest policy pending.

13.49(a)(2) Restrictions on cutting of live timber less than 3" in diameter for subsistence purposes

No restrictions at present.

SUBPART C – SPECIAL REGULATION, SPECIFIC PARK AREAS

13.61(a) ORV use in Bering Land Bridge National Preserve for reindeer grazing

ORVs are allowed pursuant to a permit for the purpose of grazing reindeer.

13.69(a)(2) Customary trade of handicraft articles made from plant materials

Handicraft articles made from plant material taken by local rural residents of the park area is permitted.

43 CFR, PART 36 TRANSPORTATION AND UTILITY SYSTEMS (Access Regulations)

36.11(c) Temporary closures or restrictions on the use of snowmachines for traditional activities

No closures or restrictions at present.

36.11(d) Temporary closures or restrictions on use of motorboats

No closures or restrictions at present.

36.11(e) Temporary closures or restrictions on use of non-motorized surface transportation

No closures or restrictions at present.

36.11(f)(1) Temporary closures or restrictions on landing areas for fixed-wing aircraft

No closures or restrictions at present.

36.11(f)(3)(ii) Established procedure for salvaging and removing downed aircraft.

A permit is required from the superintendent before downed aircraft may be salvaged and removed from the park; violation of the terms and conditions of the permit is prohibited.

This requirement allows the superintendent to establish terms and conditions for salvage operations as necessary to protect resources, provide for public safety, and minimize impacts on visitors.

36.11(g)(1) Use of off-road vehicles (ORV) on designated routes

No designated routes at present.

Please see the attached appendices for maps and/or more extensive determinations below.

Julie A. Hopkins /s/_____
Julie A. Hopkins
Superintendent

March 15, 2004_____
Date

March 4, 2003

Determination of Need for a Restriction, Condition, Public Use Limit, or Closure

Subject: Food Storage

Pursuant to Title 36 of the Code of Federal Regulations, §1.5 (c) and 2.10 (d), the Superintendent of Western Arctic National Parklands has determined that in order to protect public safety and prevent adverse impacts to wildlife, conditions are placed on storage of food, garbage, lawfully harvested fish, and equipment used to cook or store food throughout the parklands.

These restrictions include:

Throughout the park, all food (except legally taken game), food containers, garbage, harvested fish and equipment used to cook or store food must be stored in one of the following ways when not in use:

1. secured within a hard sided building, or
2. secured within lockable and hard sided section of a vehicle, vessel, or aircraft, or
3. in a bear resistant food container, or
4. cached a minimum of 100 feet from camp and suspended at least 10 feet above the ground when possible and 4 feet horizontally from a post, tree trunk, wire cable, or other object.

Note: This does not apply to clean dishes and cooking equipment that are free of food odors. We strongly recommend that these items be securely stored; but clean and odor free items are not required to be stored in secure containers.

Storage of food below ground is prohibited.

A bear resistant section or container is securable and constructed in such a manner and of material capable of preventing access by a brown or black bear. Acceptable Bear Resistant Food Containers include:

- PVC plastic or aluminum backpacker canisters (such as those manufactured by Garcia Machine, Wild Ideas, or Purple Mountain Engineering)
- steel drums with locking rings
- modified military ammo cans or bear resistant metal panniers
- metal raft dry boxes

Unacceptable Bear Resistant Food Containers include:

- ice chests
- coolers
- tents

- dry bags or stuff sacks
- plastic packing boxes (Totes, Action Packers, etc.)
- hard or soft shelled kayaks with standard hatch covers

The reasons for this restriction are as follows:

1. Wildlife in a natural ecosystem is adapted to exist on natural food sources only. Obtaining human food negatively alters behavior and nutrition of wildlife.
2. Both black and brown bears are common throughout the parklands. Bears are readily attracted to even small quantities of human food. They are very curious and intelligent, and will commonly open or enter containers, tents, and structures.
3. Bears are extremely susceptible to habituation to human food sources. Once they have learned to associate a site or item (e.g. commonly used campsite, tent, kayak, etc.) with acquisition of food, they will return to that source repeatedly for further food rewards.
4. It does not matter whether the material is fresh, dry, powdered, canned, etc. Once a curious bear has obtained a positive food reward, it will return and / or continue to seek out further rewards in similar situations.
5. Any impact to nutrition may manifest itself in reduced reproductive success and life expectancy.
6. While the nutritional impact on wildlife may vary depending on a number of factors, no negative impact, including the consumption of human food, is acceptable under National Park Service management policies.
7. Bears who become habituated to human food in the parklands are likely to be killed by humans in defense of life or property inside the parklands or on adjacent lands.
8. Humans are at risk of injury or death when bears attempt to obtain food from tents, packs, vessels, or other similar areas.

The reasons less restrictive measures will not work are:

1. Educational efforts regarding proper storage and disposal of food and garbage have been undertaken by local, state, and federal agencies in Alaska and in other western states for many years. These efforts have doubtless improved the situation and reduced wildlife / human conflict and impacts.

2. Recognizing that variations in environment and subsistence and recreational activities require multiple food storage options, the parklands is allowing users several different ways in which food can be stored.
3. The parklands is assisting visitors by supplying bear resistant food storage containers (BRFC) for free loan at the parklands headquarters in Kotzebue, Alaska. This is for human safety and to make compliance less onerous.
4. Despite these efforts, park managers repeatedly encounter situations in which food or garbage is improperly stored in all areas of the park.
5. Given the lack of complete compliance with educational efforts, the flexibility in compliance options, and the effort made by park managers to provide free equipment and facilities to promote compliance, these conditions are the less restrictive required to fulfill the park mission of protecting wildlife and human safety.

Julie A. Hopkins _____
Julie A. Hopkins
Superintendent

March 15, 2004 _____
Date

March 4, 2003

Determination of Need for a Restriction, Condition, Public Use Limit, or Closure

Subject: Smoking

Pursuant to Title 36 of the Code of Federal Regulations, §1.5 (c) and 2.21 (a), the Superintendent of Western Arctic National Parklands has determined that smoking restrictions are necessary due to public health concerns and in order to protect public safety from fire or explosion around fuel storage and dispensing facilities.

These restrictions include:

All park offices and visitor facilities are closed to smoking. Smoking is prohibited within 100 feet of the park fuel and aviation gas storage facility.

The reasons for this restriction are as follows:

1. To protect public safety from fire or explosion around fuel storage and dispensing facilities.
2. To reduce the risk of a fire.
3. To prevent conflicts among park staff and visitor use activities.
4. Due to public health concerns regarding the harmful effects of inhaling smoke.

The reasons less restrictive measures will not work are:

1. It would be dangerous to the public and to the resources if smoking were allowed within 100 feet of the fuel and aviation gas storage facility.
2. Conflicts would arise between staff members and visitor use activities if smoking were allowed in park offices and visitor facilities.

Julie A. Hopkins /s/ _____
Julie A. Hopkins
Superintendent

March 5, 2004 _____
Date

March 4, 2003

Determination of Need for a Restriction, Condition, Public Use Limit, or Closure

Subject: Restrictions on Unattended Property- 36 CFR 13.22 (c)

Pursuant to Title 36 of the Code of Federal Regulations, 1.5 (c), the Superintendent of Western Arctic National Parklands has determined that in order to provide for the protection of resources it is necessary to place restrictions and conditions on unattended property left in the parklands.

These restrictions include:

1. All caches must be labeled with the name of the owner, home address, telephone number, and date that the cache was established. If the cache contains fuel, the type of fuel must be noted. Unlabeled caches may be removed or impounded.
2. Caches left for more than 4 months will be considered abandoned and may be removed or impounded by Park Rangers.
3. All caches must be secured in such a manner that wildlife is unable to access the cache contents.
4. Leaving fuel in more than one location in a park unit or leaving more than 30 gallons of fuel is prohibited unless authorized by the Superintendent.
5. Storing fuel within 100 feet of a water source, high water mark of a body of water, or mean high tide is prohibited unless authorized by the Superintendent. Fuel must be contained in an undamaged and closed fuel container designated for fuel storage. Fueling from containers must occur in such a manner that any spillage would be prevented from coming into contact with water, soil, or vegetation.
6. A Special Use Permit may be obtained from the Superintendent for unique or special circumstances different from above. All such requests must be made in writing to the Superintendent at P.O. Box 1029 Kotzebue, AK 99752.

The reasons for this restriction are as follows:

Abandoned and unattended property has the potential to negatively impact park resources and users. Fuel spills, wildlife obtaining human food, and aesthetic impairments are primary concerns.

These restrictions reasonably allow for caching of property to support subsistence and recreational activities in the parklands while allowing management control, user accountability, and resource protection.

The reasons less restrictive measures will not work are:

Historically, the park has found that property left more than 4 months is likely abandoned and requires cleanup and removal at public expense. Should unique and/or special circumstances dictate a longer storage period, a Special Use Permit may be issued to allow for that.

There is no foreseeable need for more than 30 gallons of fuel to be cached for camping, boating, snowmachine and aircraft activities. It is the park's understanding that individuals are not caching fuel in the park units regardless of the time of year. Day trips are common with recreational users and are becoming more common with those involved in subsistence activities and theft of unattended fuel caches is a concern. Therefore individuals are storing their fuel on native allotments and/or hauling the necessary amount of fuel with them. Additional fuel, if needed, can be bought in villages located near the park's boundary. Should unique and/or special circumstances dictate a larger amount of fuel to be cached, a Special Use Permit may be issued to allow for that.

Requirements for containment of leaks and storage away from wildlife are the minimum acceptable restriction for resource protection.

Requirements for the marking of caches are the minimum required to identify ownership and contact owners to resolve any problems.

Julie A. Hopkins /s/
Julie A. Hopkins
Superintendent

March 5, 2004
Date